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Total Number of Pages in This Submission

5

Application Number

10/751,380

Filing Date

01/05/2004

First Named Inventor

Zahner, Joseph E.

Art Unit

1636

Examiner Name

Schlapkohl, Walter

Attorney Docket Number

NR 04-001

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

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Express Abandonment Request

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Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

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Drawing(s)

☐

Licensing-related Papers

☐

Petition

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Petition to Convert to a
Provisional Application

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Power of Attorney, Revocation

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Remarks

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After Allowance Communication to TC

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Appeal Communication to Board
of Appeals and Interferences

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Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Return receipt postcard.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Joseph E. Zahner

Signature

Joseph E. Zahner

Printed name

Joseph E. Zahner

Date

October 12, 2006

Reg. No.

pro se

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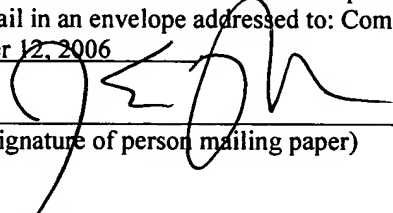
Date October 12, 2006

Docket No. NR 04-001

CERTIFICATION UNDER 37 CFR 1.8

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Joseph E. Zahner
(Typed name of person mailing paper)


(Signature of person mailing paper)

Transmitted herewith for filing is an amendment and related papers for:

Application of: Joseph E. Zahner

Art Unit: 1636

Serial No.: 10/751,380

Atty. Docket No.: NR 04-001

Filed: 01/05/2004

For: Inhibitor of Cell Proliferation and
Methods of Use Thereof

Examiner: Walter Schlapkohl

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL OFFICE ACTION

In response to the Official Action, which was mailed on July 13, 2006, Applicant submits the following amendment to the specification and claims. Applicant believes that the amendment places the case in a condition for allowance and respectfully requests that the claims be allowed.

Sequence Compliance. Examiner contends that the application fails to comply with 37 CFR 1.821 – 1.825 due to the lack of a statement that the computer readable form of the sequence listing is the same as the paper copy submitted with the application.

Applicant respectfully points out that paragraph [0002] of the application-as-filed makes such a statement. For clarity sake, Applicant restates that statement here:

A paper copy of the sequence listing and a computer readable form of the same sequence listing submitted with the application-as-filed and therein

incorporated by reference. The information recorded in computer readable form is identical to the written sequence listing, according to 37 C.F.R. 1.821 (f).


Specification. The disclosure is objected to for failing to reflect that the instant case is in fact a continuation of patent no. 6,673,894. Applicant respectfully requests that paragraph [0001] be amended, as set forth below.

Claim Objections. Claims 9 and 12 are objected to for containing non-elected subject matter. Applicant has amended claim 9 to remove "a cell in a transgenic animal" and has amended claim 12 to remove the reference to SEQ IN NO:25, as set forth below. Claim 13 is also objected to for being dependent upon a base claim containing non-elected subject matter. Claim 13 is dependent upon claim 12, which has been amended to be directed to elected subject matter only. The amendment to claim 12 renders the objection to claim 13 moot.

Allowable Subject Matter. Applicant thanks Examiner for allowing claims 6-8, 10 and 11.

If any other issues remain pertaining to this office action and response, Examiner is invited to contact undersigned Inventor.

Respectfully submitted,



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